

REMARKS

This Amendment is responsive to the Office Action mailed on June 17, 2003. With this Amendment, claims 36, 49 and 57 have been amended and claims 62-64 are canceled. The application now includes claims 36-61.

The Office Action, the Examiner rejected independent claim 36 (page 4 of the Office Action) under 35 U.S.C. 103(a) as being unpatentable over Andersen in view of Mursinna and Stutzman. In that rejection, the Examiner stated that Stutzman in Figure 5 discloses a truss (32) externally mounted on an outside face of a bottom horizontal end of the door panel (10). The Examiner further stated "it would have been obvious to one of ordinary skill in the art at the time of the invention to provide extra support for a door panel bottom edge since the bottom edge of a door panel receives the greatest wear and tear on an overhead door system."

Independent claim 36 has been amended to state that the truss is a load bearing truss such that it provides sufficient support to the door member for maintenance of structural integrity when the door member is in the open position. The truss 42 that the Examiner is referring to in Stutzman is a retainer 32 which is used to carry a weather seal 13. Although the retainer 32 extends along the bottom edge of the door, its function is to hold the weather seal 13. There is no disclosure in Stutzman to even suggest that the retainer acts as a load bearing truss. The garage door that is shown in Figure 5 is a metal garage door which does not require a member along its lower portion for structural integrity.

Therefore, in view of the amendment to claim 36, it is believed that claim 36 and its respective dependent claims are patentable over the art cited.

With regard to claims 49 and 57, the Examiner rejected claims 49 and 57 under 35 U.S.C. 103(a) as being unpatentable over Andersen in view of Stutzman. Again, the Examiner citing Stutzman referred to Figure 5 of Stutzman stating that Stutzman discloses truss (32) externally mounted on an outside face of a bottom horizontal end of the door panel (10).

Claims 49 and 57 have been amended to state that the external truss is a load bearing truss that provides sufficient support to the door member for maintenance of structural integrity when the door member is in the open position. No such truss is disclosed in Stutzman.

Stutzman merely discloses a retainer for retaining a weather seal along the bottom edge of a metal garage door as discussed above.

In view of the above amendments to claims 49 and 57, it is believed that both independent claims and their respective dependent claims are patentable over the art cited.

Support for the amendments to claims 36, 49 and 57 is found on pages 7 and 8 of the present application.

Reconsideration and allowance of all of the claims in the application are respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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